

Infringement Analysis of : PROSELECT

Infringing Product Specifications:

Company Name: ProSelect
Company Location: Beverly, MA 01915
Product Name: Stainless Steel Bowl – SKU#ZW88009
Stainless Steel Bowl – SKU#ZW88016
Stainless Steel Bowl – SKU#ZW88030

The following patent infringement analysis compares the newly issued US Patent No. 8,286,589 with the potentially infringing product identified by pictures. The Claims of US Patent No. 8,286,589 are identified below as follows:

US Pat 8,286,589- Claim 1

1. A single member animal feeder substantially comprising:
a bowl formed of stainless steel or other metal;
a cover placed about at least a portion of an exterior of said bowl in a continuous direct contact arrangement, said cover remaining affixed to said bowl during lifting, moving or repositioning; said cover resisting movements relative to a floor surface through adhering and frictionally impinging said cover to said floor surface; said cover having an annular sidewall extending up from a bottom exterior surface of said bowl, said sidewall surface terminating at an upper portion opposite said bottom outer surface that is coextensive with and circumscribes an outer surface of said bowl; said cover permanently attached to said bowl through frictional force and interference fit securely holding said cover on said bowl such that circumferential contact between the exterior surfaces of said bowl and the interior surfaces of said cover provides said frictional interference fit.

Claim 1 - Infringement Analysis

The PROSELECT product a metal bowl is formed of stainless steel. (See FIG 1 - Reference Numeral 10). The PROSELECT product has a cover affixed in continuous direct contact about a portion of the exterior of the bowl. (See FIG 2 - Reference Numeral 20). The cover of the PROSELECT product remains affixed to the bowl during lifting, moving or repositioning. The PROSELECT product resist movemetn relative to the floor surface. The PROSELECT product has an annular sidewall that extends up from the bottom surface of the bowl. (See FIG 3 - Reference Numeral 30). The PROSELECT product cover bottom cover 20 terminates about the outer surface of the bowl. resists movements relative to the floor surface because of its rubber polymer material. (See FIG 3 - Reference Numeral 40). The cover 20 is further permanently attached to the bowl.

STATUS: CLAIM 1 = INFRINGED

US Pat 8,286,589 - Claim 2

2. The animal feeder of claim 1, further comprising an adhesive placed between the exterior of the bowl and the interior of said cover.

Claim 2 - Infringement Analysis

The PROSELECT bowl appears to have adhesive between the bowl and cover (however, the cover has not been fully removed do to the fact that it is adhered).

STATUS: CLAIM 2 = INFRINGED

US Pat 8,286,589 - Claim 3

3. The animal feeder of claim 2, wherein said cover is formed having a decorative color.

Claim 3 - Infringement Analysis

The PROSELECT bowl has a decorative color which is black. (See FIGS 2-3)

STATUS: CLAIM 3 = INFRINGED

US Pat Appl. 8,286,589 - Claim 4

4. The animal feeder of claim 3, wherein said decorative cover is further formed of a material having insulating properties to provide insulation to the contents of the bowl and reduces the conduction of heat or cold from the bowl to the environment

Claim 4 - Infringement Analysis

The PROSELECT Stainless Steel Bowl Infringes Claim 4 of US Patent No. 8,286,589. The PROSELECT bowl cover appears to be rubber which would have insulative properties. (See FIGS 2-3)

STATUS: CLAIM 4 = INFRINGED

US Pat 8,286,589 - Claim 5

5. The animal feeder of claim 3, wherein decorative cover is formed of a material capable of providing frictional resistance to the bowl so as to substantially reduce slipping and/or sliding along a floor or other surface upon which the bowl is placed.

Claim 5 - Infringement Analysis

The PROSELECT bowl cover is formed of rubber, a material capable of providing frictional resistance to the bowl so as to substantially reduce slipping and/or sliding along a floor or other surface upon which the bowl is placed.(See FIG 2 - [Reference Numeral 20](#)).

STATUS: CLAIM 5 = INFRINGED

US Pat 8,286,589 - Claim 6

6. The animal feeder of claim 1, wherein said cover forms an exterior surface with a plurality of ribs for providing:
an exterior surface that is easily gripped by a user; and
as an aesthetic feature to the exterior surface of said cover.

Claim 6 - Infringement Analysis

The PROSELECT bowl cover does not have a “plurality of ribs”

STATUS: CLAIM 6 = NOT INFRINGED

US Pat 8,286,589 - Claim 7

7. An animal feeder substantially comprising:
- a bowl formed of stainless steel or other metal, said bowl having an annular sidewall upwardly directed from a bowl bottom to form a holding volume;
 - said bowl bottom having an upper surface bounding a lower portion of the holding volume and a lower surface opposite the upper surface; and
 - a lower surface cover affixed to said lower surface, said lower surface cover is molded to said lower surface; said lower surface cover extends up from a bottom surface and up said at least a portion of said annular sidewall;
 - said lower surface cover circumscribes an outer edge of said lower surface of said bowl;
 - said lower surface cover is formed of a material capable of providing said lower surface with an increased resistance to slipping and/or sliding along a floor or other surface upon which the animal feeder is placed;
 - said lower surface cover is further formed of a material having insulating properties to provide insulation to the contents of the bowl and reduces the conduction of heat or cold from the bowl to the environment.

Claim 7 - Infringement Analysis

The PROSELECT product is a metal bowl with the bottom bottom having an upper surface bounding a lower portion of the holding volume and a lower surface opposite the upper surface. (See FIG 1-3 - Reference Numeral 10). A cover is molded to said lower surface of the bowl (Reference Numeral 30) and extends up from a bottom surface and up said at least a portion of said annular sidewall (Reference Numeral 40). The lower surface of the cover circumscribes an outer edge of said lower surface of said bowl.

The PROSELECT bowl cover appears to be rubber which provides frictional resistance against a floor surface where the bowl is placed.

The PROSELECT bowl cover appears to be rubber which would have insulative properties. (See FIG 1-3)

STATUS: CLAIM 7 = INFRINGED

US Pat 8,286,589 - Claim 8

8. The animal feeder of claim 7 wherein said lower surface cover is formed having a decorative color..

Claim 8 - Infringement Analysis

The PROSELECT bowl has a decorative color which is black. (See FIG 2). Further the matte black is an aesthetic finish. (See FIG 2)

STATUS: CLAIM 5 = INFRINGED

US Pat 8,286,589 - Claim 9

9. The animal feeder of claim 7, wherein said lower surface cover further forms a textured exterior surface.

Claim 9 - Infringement Analysis

The PROSELECT bowl cover does not have a textured exterior surface.

STATUS: CLAIM 9 = NOT INFRINGED

US Pat 8,286,589 - Claim 10

10. The animal feeder of claim 7, wherein said lower surface cover further forms a patterned exterior surface..

Claim 10 - Infringement Analysis

The PROSELECT bowl cover is smooth, and does not have a patterned exterior surface.

STATUS: CLAIM 10 = NOT INFRINGED